Sandel's Formative Republicanism

— Its meaning and possible problems —

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0. Introduction

The purpose of this essay is to explain the meanings of Sandel's recent political theory, (which Sandel himself names as "formative republicanism"), and to address to the possible problems that this political theory might imply. In order to identify the correct location of Sandel's political theory within the range of contemporary political debate, I have attempted a comparative analysis and compared Sandel's political theory with some of the other theories of contemporary political philosophers in order to find possible similarities as well as dissimilarities. I think that this kind of comparative approach is conducive to understanding political theories, not only in the sense that it gives us a more clearer picture, by way of comparison, of the explicit contents of the political theory in question, but also in the sense that it provides us with possible means to interpret its implicit meanings as well. I hope that the approach I have adopted in this essay is helpful to the reader's understanding of Sandel's political theory.

I must confess that I had no intentions to present my original thoughts when I was preparing this essay. Therefore, the vast majority of the essay is expository in nature. The main purpose of this essay is to describe and explain the meanings of Sandel's recent political theory, (which Sandel himself names as "formative republicanism"), by showing how it is similar...
as well as dissimilar to other contemporary political theories by way of comparison and contrast. In this sense, I believe that this essay can works as a fairly good general survey of this particular area of study. Of course, the essay basically shows my interpretation of Sandel's political theory, but only in the last part do I profess my own opinions in an attempt to criticize some aspects of Sandel's political theory.

The first part of the essay titled “The Liberal-Communitarian Debate” is intended to provide the reader with a fair background from which Sandel's political theory has initially come about. It explains, in general, how the liberal theorists and the communitarian theorists differ in the interpretations of the main principles of society. The second part of the essay titled “Sandel's formative republicanism” explains the main points of Sandel's recent theoretical development contained in his most recent book: *Democracy's Discontent-Amercia in search of a public philosophy* (1996, Harvard university press). It explains how Sandel's republican political theory differs from procedural liberalism, and how the element of political deliberation becomes a core element of republican political theory. The third part of the essay titled “Modern forms of deliberative democracy” looks into the theoretical models of modern deliberative theories of Habermas, and Cohen, and explains how the democratic models that are defended by these theorists differ from Sandel's formative republicanism. The fourth part of the essay titled “Benjamin Barber's "Strong Democracy“” explains the main elements of Barber's republican political theory, and tries to show how it is similar to Sandel's formative republicanism. It also tries to show how Barber's discussions on political talk can be instructive in understanding Sandel's conception of political deliberation, which is composed of both arguments and narratives. The fifth part of the essay titled “Procedural Liberalism and Civic Republicanism: Friends, or Enemies?” introduces Kymlicka's insightful approach that aims to reconcile the tensions between procedural liberalism and civic republicanism, and to show how republican values can also be
accommodated on liberal grounds. The sixth part of the essay titled “Is Sandel's formative republicanism really non-exclusive and non-coercive?” discusses about some possible worries of exclusiveness and coerciveness within republican politic, and shows how Sandel tries to defend formative republicanism from such accusations, and why I personally think that Sandel's defense is inadequate.

1. The Liberal—Communitarian Debate

In the last twenty years, there has been a revival of what is now commonly labeled as “communitarianism”. The four distinguished proponents of this stance are Alasdair MacIntyre, Charles Taylor, Michael Walzer, and Michael Sandel. These four people are the main characters who started an intensive discussion of what is now know as “the liberal-communitarian debate”. “The liberal-communitarian debate” has raged among contemporary political philosophers for several years and even made philosophers of other field participate. In this essay, my primary interest is on Michael Sandel. But, before examining Sandel's political theory in detail, I think that it will be quite helpful to briefly summarize the main points of this “liberal-communitarian debate” first.

Communitarianism is a label that has been given to a group of critics who expressed their dissatisfaction with contemporary liberalism. According to these critics, the individualistic approach of liberalism understates the values of community and the common good. Political philosophy should pay more attention to the shared practices and understanding within each society, and this in turn requires a modification of the principles of liberal political theory. The main focus of criticisms were on the foundational tenets of liberalism: such as the notion of state neutrality, the priority of justice among all existing values, the priority of
the right over the good, and the priority of the self to its ends. To this, communitarians contend that politics should not, in the name of neutrality and toleration, bracket out the moral and religious views of its citizens, but embrace those particular beliefs within political discourse, that justice is not a primary value in all circumstances, that the question of right cannot be independently answered without answering the question of the good in advance, and that we are encumbered selves that are situated in antecedent moral ties which we could not have chosen antecedently.

1-1. Debates on “state neutrality”

Liberalism basically holds that the state should be neutral towards the particular conception of good life. By imposing a particular conception of good life on its citizens, the state violates the individual autonomy of its citizens to choose the life goals they personally favor and fails to treat them as free and equal beings. In a pluralistic society, it is very likely that different people endorse different conceptions of the good due to their different historical and cultural backgrounds. Thus, enforcing one particular conception of the good to people who endorse a different conception of the good is manifestly state coercion and a violation of the individual’s autonomy. According to Rawls, the principles of justice apply solely to the political domain, the domain which Rawls refers to as the basic structure of society, and given that citizens endorse the principles of justice, they are allowed to live by whatever comprehensive doctrines they favor.1) By contrast, communitarians object to the liberal notion of state neutrality. To them, people should be encouraged to live good and valuable lives, and the state or the local community should assume the role to guide its citizens. One typical example of this rather ‘paternalistic’ approach to

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politics is the regulation of pornography. Sandel implies that a local community can implement restrictions on pornography ‘on the grounds that pornography offends its good way of life and the values that sustain it’. In short, to communitarians, ‘the politics of neutrality’ should give its way to ‘the politics of the common good’.

State neutrality is also deeply connected to the strict division between the public and the private. According to liberal theorists, the public sphere and the private sphere should be distinctly separated, and people should not bring their particular views, whether it is religious or moral, within the public domain. By contrast, the communitarians try to dissolve the strict boundaries between the public and the private, and contend that not only bringing private moral views into the public arena enriches political discourse, but certain political issues, (such as the case of abortion), cannot be separated from one’s particular moral view in the first place.

1-2. Debates on “the primacy of Justice”

Another opposition to liberal politics that is closely related to the opposition to state neutrality is the communitarian objections to ‘the primacy of justice’. To liberals, justice is not merely one important value among others. It is the standard, the yardstick, (in Rawls’s term the ‘Archimedean point’) by which all relevant values are to be assessed and evaluated. Justice sets limitary boundaries, which should be conformed and abided by all other values in question. To this, Sandel contends that the primacy of justice does not apply universally in all possible circumstances. Justice is a primary value only when certain circumstances of justice obtain; namely where there are scarcity of resources and conflicting claims about the division of social advantages emerge. In these circumstances, it

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is necessary and important to secure one's fair share and guarantee the fair procedure of social distribution. However, according to Sandel, 'we can readily imagine a range of more intimate or solidaristic associations in which the values and aims of the participants coincide closely enough that the circumstances of justice prevail to a relatively small degree.'

The paragon example of this kind of association, according to Sandel, is the 'family'. Inside the family, the claims of individual rights and fair procedure are seldom invoked, since most of the affairs are conducted and resolved through mutual affection and a common understanding of one another. However, the harmonious family might start to deteriorate. The members of the family might start to issue contradicting claims on how to allocate the family resources, and, in this way, mutual dissension might take the place of mutual affection. Now, the situation of the family starts to closely resemble the circumstances of justice, and securing individual rights and guaranteeing fair procedure becomes more important than before. This is why Sandel refers to justice as a 'remedial virtue'. In other words, Justice is a primary virtue only when the situation renders it impossible to conduct certain types of human affairs through the mutual affection and benevolence of its members. Justice is primary only when the circumstances are harsh; when it is necessary to protect one's individual rights from the violation of others, and when fair procedure is necessary for everybody's advantage. Therefore, even if justice has increased and starts to prevail throughout the situation, this doesn't necessary mean that the overall moral status of the situation has improved, when compared to the initial situation where the appeal to justice was unnecessary in the first place.

5) Ibid., pp.125-127 (Here, Rawls adopts the Humean conditions of Justice.).
7) Ibid., p.32.
1-3. Debates on “the priority of right over the good”

It should be noted that the liberal notion of ‘the primacy of justice’ is closely related to the more general notion of ‘the priority of the right over the good’. According to Rawls, ‘The principles of right, and so of justice, put limits on which satisfaction have value; they impose restrictions on what are reasonable conceptions of one's good. (…) We can express this by saying that in justice as fairness the concept of right is prior to that of the good’\(^8\) The notion of the priority of the right over the good was intended to direct Utilitarianism, which has the implications of justifying the sacrifice of a few for the sake of the greater general satisfaction of the majority.

‘Justice denies that the loss of freedom for some is made right by a greater good shared by others. It does not allow that the sacrifices imposed on a few are outweighed by the larger sum of advantages enjoyed by many. Therefore in a just society the liberties of equal citizenship are taken as settled; the rights secured by justice are not subject to political bargaining or to the calculus of social interests.’\(^9\)

By securing individual rights in this way, the rights of individuals have obtained a sacrosanct status, which cannot be violated by the sake of the common good or the will of the majority. However, the communitarian critics argue that the questions of the right cannot be properly understood without answering the questions of the good. Or put in another way, certain rights can be enhanced or restricted according to the good (or the end) the right in question tries to manifest. The typical example would be the case of free speech.\(^10\) Let's assume that there are two groups of people

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\(^9\) Ibid., pp.3-4.
\(^10\) The following example is inspired by a similar example that was provided in the preface of “Sandel, M., Liberalism and the Limits of Justice, Cambridge,
who want to profess their opinions in public: one group is a socially oppressed minority who demand the equal rights to its people, and the other group is a white-supremacy group who demand deportation of the people who have colored skin. To which group should we allow the right to freedom of speech? Liberals might contend that both of the groups should be allowed, since they think it is important to remain neutral to the contents of the speech in question. However, if we think that the minority group should be allowed to profess their views in public, while the white-supremacy group should be denied of this right, it must be noted that this kind of conclusion wasn't arrived by solely considering the right to free speech alone, but by considering the contents of the speech, or in other words, the good each group of people tried to realize by exercising the right to free speech in the first place; the minority group aimed to rectify social injustice, while the white-supremacy group aimed to maintain or even worsen it. This example signifies that rights are not totally independent with the question of the good, and that certain rights can be enhanced or otherwise diminished based on the specific good it tries to promote. In this way, the right is not prior but rather dependent on the good it tries to realize.

1-4. Debates on “the unencumbered self”

Many communitarians contend that all of the notions of liberal political theory that have been mentioned above; such as state neutrality, the primacy of justice, and the priority of the right over the good, are fundamentally grounded on the liberal notion of the self. According to many liberal theorists, people should be held accountable only to the ends that they have voluntarily chose to affirm. This basically implies that people are able to stand at a distance and question and reject their particular relationships at any given time, if they think that the relationship

is no longer worth pursuing. Rawls summarized this view by saying that ‘the self is prior to the ends which are affirmed by it’\(^\text{11}\). Since the particular ends which the self happens to affirm at a given moment, are the products of choice rather than the constituents that define the self in question, it can be said that the self is unencumbered by the ends it affirms. This is why many communitarians call the liberal notion of the self, ‘the unencumbered self’. The unencumbered self is important to liberal theory, since it is the basis of individual autonomy. The more people are encumbered by the particular ends they happen to have, the less autonomous they would be to choose freely among several alternatives that are open to them.

However, the communitarians argue that the liberal notion of the unencumbered self overlooks the fact that there exist certain ends and moral ties that we are incapable of choosing voluntarily. According to these communitarians, the notion of the unencumbered self cannot explain certain obligations that we feel toward our family, community, nation, history, and so on.

‘By insisting that we are bound only by ends and roles we choose for themselves, it denies that we can ever be claimed by ends we have not chosen; ends given by nature of God, for example, or by our identities as members of families, peoples, cultures, or traditions.’\(^\text{12}\)

The fact that I have been born into a particular nation means that my particular identity cannot be separated with my national ends. Abandoning my nationality and rejecting the history of my nation would in turn redefine the particular person I am. In this way, nationality is not the product of my voluntary choice, but rather the constituent that is given antecedently, which partially defines the particular person I happen to be.

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In this way, we are not unencumbered, but are essentially encumbered, and situated selves.

This basically summarizes some of the major points that are under the label of 'Communitarianism'. Of course, Sandel has expressed some uneasiness he personally feels when people label his theory as 'communitarianism'. This uneasiness is due to the associated beliefs that are commonly held with the label communitarianism by the people in general. According to Sandel, in many cases, communitarianism implies 'conventionalism' or 'majoritarianism'. Conventionalism is a commonly held view that claims that the existing social practices are justified, by the very nature of their existence within a given community. In this way, every social practice can be justified by the very fact that there exists such social practice. In this way, conventionalism lacks the ability to criticize or to judge the existing social practices within a given community. On the other hand, majoritarianism is a view that contends that the will of the majority should always prevail. Since it is perfectly possible for the majority to will incorrectly, majoritarianism, too, lacks the ability to criticize and judge the existing social practices within a given community. Sandel doesn't deny the fact that existing social practices can be, and in certain times, should be criticized. Therefore, Sandel denies his theory to be labeled as communitarianism as such.

'Insofar as 'communitarianism' is another name for majoritarianism, or for the idea that rights should rest on the values that predominate in any given community at any given time, it is not a view I would defend.'

14) Ibid., p.x.
2. Sandel's Formative Republicanism

2-1. Formative Republicanism vs. Liberal Procedural Political Theory

In his recent work\(^\text{15}\), Sandel has begun to identify his political theory as ‘republicanism’, or to say it more correctly, ‘formative republicanism’. Sandel's *Democracy's Discontent-America in search of a public philosophy* is a thoroughly accomplished analysis of the current situation of American politics. In his book, Sandel diagnoses the current predicament of American politics as a clash between two contrasting world views; procedural liberalism and civic republicanism. According to Sandel, procedural liberalism has become the predominant public philosophy of America in recent years. That is, procedural liberalism has increasingly displaced civic republicanism, and according to Sandel, this is the main reason that is causing “democracy's discontent” in contemporary American society. Sandel's prescription is that America should revive the republican elements of politics, and restore its public philosophy with what Sandel calls “formative republicanism”. Sandel assigns a lot of portion of his book by presenting real historical examples. However, for the purpose of this essay, which is to examine Sandel's political theory, I will concentrate on the theoretical side of Sandel's political philosophy.\(^\text{16}\)

According to Sandel, republican political theory can be contrasted with the liberal procedural political theory in at least two respects. The first concerns the relation of the right to the good; and the second, the relation of liberty to self-government.\(^\text{17}\) Sandel explains that while the liberal


\(^{16}\) In order to restate the overall picture of Sandel's political theory I have also referred to “김선욱, <대담-마이클 산델, 자기 해석적 존재를 위한 정치철학, 철학과 현실 제67호(2005년 겨울), 철학문화 연구소”.

\(^{17}\) Ibid., p.25.
theory tries to define rights without resorting to any particular conceptions of the good, the republican theory interprets rights in the very face of a particular conception of the good society, namely 'the self-governing republic'. So, in this sense, the right is not prior to the good, but it is dependent to a specific notion of the good, which, in this case, is the common good of self-government. However, we need to be careful about the correct sense in which Sandel is using the term, 'common good'. Sandel emphasizes that the republican notion of the common good is quite different from that of the utilitarian notion of aggregating individual preferences. Unlike utilitarianism, the republican theory doesn't attempt to merely satisfy the existing preferences of its people, but instead it tries to 'alter' those preferences and 'cultivate' its citizens with certain qualities and characters that are required by the common good of self-government. In this sense, republican politics regards 'moral character' as a public, not merely a private, concern, and in this way, it attends to the 'identity', not just the interests of its citizens.

According to Sandel, the second respect that the republican theory differs from the liberal procedural political theory is its interpretation on the relations between 'liberty' and 'self-government'. On the liberal view, liberty is defined as some sort of constraint or safeguard against self-government; 'I am free insofar as I am a bearer of rights that guarantee my immunity from certain majority decisions'. On the contrary, the republican view defines liberty, not as a constraint, but as a 'consequence' of self-government; 'I am free insofar as I am a member of a political community that controls its own fate, and a participant in the decisions that governs its affairs'.

In short, the republican theory maintains that liberty is internally connected to self-government, and that the questions of right should be

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answered according to the questions about the good. The politics of neutral procedure should give its way to the politics of the common good, and the state or the local community should cultivate its citizens with certain civic virtues that enable them to become competent as well as active participants of self-government.

2-2. The Dialectical Process of Political Discussion

At the core of republican political theory, is 'political discussion'. Political discussion is the very process that makes self-government possible. By participating in political discussion, people are not merely passive bearers of certain universal rights, but they become active members of the community, the protagonists of political affairs, the authors who envisages the vision of the common good, and the true masters that control the fate of their political community. Of course, political discussion doesn't work automatically. The process of political discussion requires certain qualitative traits among its participants; the participants must know how to engage in political deliberation, as well as how to understand and embrace the opinions of others that contradict their own. As Benjamin Barber puts it, democratic talk entails listening no less than speaking. This is why it is important for the community to 'cultivate' its citizens with the requisite civic virtues that make the process of political discussion work. In this way, republicanism becomes a 'formative project'.

Another important function of political discussion is that it is the primary source where criticism can burgeon and the sole device that can rescue the republican community from falling into the dangers of moral relativism, conventionalism, and majority rule. For example, it might be argued that the republican community can allow the institutions of slavery if the majority of the citizens will to do so. In order to prevent that from

happening, the liberals claim that we should firmly establish certain universal rights that are prior and independent to the good of the community, and that political discourse should be strictly restricted to (what Rawls calls) ‘the political (or public) domain’. That is, we should prevent strictly private religious and moral opinions from entering public discourse, since, given the plurality of values characteristic to contemporary society, these ‘comprehensive doctrines’ will serve as obstacles for political consensus. However, Sandel disagrees. Sandel doesn't think that the right is prior to the good, and neither does he think that securing certain rights independently from the good is the only way that the community can avoid certain wrong answers, such as the institution of slavery, from prevailing.

More fundamentally, Sandel seems to oppose the liberal notion of universal rationality. According to Sandel, the liberal notion of universal rationality has its roots in Kant, who conceived rationality as a universal faculty of the abstract and transcendental subject. However, according to Sandel, there is a big problem with this kind of abstract understanding of rationality. Since, rationality itself is constituted by language, and language, in turn, is constituted by the particular community where the language in question is being used.21) Therefore, there cannot be such thing as universal rationality in the purely abstract sense, given to us a priori which transcends the boundaries of particular languages and particular communities. In this sense, it can be maintained that rationality itself is “situated”.22) Of course, Sandel doesn't deny that there can be such things as “universal truth”. However, he denies that such universal truths should be based on the Kantian notion of the abstract or transcendental selves which certain contemporary thinkers, who emphasize procedure, such as

22) Sandel confesses that his view on rationality is adopted from Charles Taylor, Ibid., p.227.
Rawls and Habermas, adopt.

Then, how can the republican community, without the help of antecedently settled rights and the help of universal rationality, avoid falling into the dangers of moral relativism and conventionalism? The answer is, through the political discussions that involve both elements of argument and story-telling among its citizens. In this sense, political discussion becomes a dialectical process which involves the lively interaction between competing arguments and particular stories among its citizens. According to Sandel, the dialectical process of political discussion itself, might not guarantee, but, in many cases, will veer the public's opinion into the right direction. By engaging in lively discussions with people who affirm different types of moral and religious convictions, people will start to recognize certain shortcomings that were embedded in their particular views, as well as start to understand why other people had different viewpoints in the first place. In this way, the political community can avoid certain wrong answers, like the institution of slavery, from being legislated.

The most crucial element that needs to be emphasized here is 'narrative' or 'story-telling'. According to Sandel, political discussion consists of two components: one, (logical) argument, and the other, narrative or story-telling. The former element of political discussion (argument) has been emphasized by many other political theorists, especially by contemporary deliberative democratic theorists, and even (in some ways) by liberal procedural theorists as well. Therefore, it is the latter element of political discussion (narrative or story-telling) which distinguishes Sandel's political theory from liberal procedural political theory (Rawls, Nozick) and from other forms of deliberative political theory (Habermas, Joshua Cohen). In order to understand the proper distinction between Sandel's formative republicanism and other forms of deliberative political theories, I find it necessary to briefly explain an outline of contemporary theories of deliberative democracy at this point.
3. Modern Forms of Deliberative Democracy

- Democratic Theories of Harbermas and Cohen, and how it differs from Sandel's formative republicanism

The ideal of deliberative democracy is a familiar idea. Aspects of it have been high-lighted in recent discussion of the role of republican conceptions of self-government in shaping the American constitutional tradition and contemporary public law. However, an elaborated and systematic approach to this idea has not been laid out until quite recent years by political theorists such as Jurgen Harbermas, and Joshua Cohen.

Harbermas categorizes normative democratic models into two basic groups: one is the liberal democratic model, and the other is the republican democratic model. In the liberal democratic model, citizens are understood as bearers of certain negative rights that protect them from being victimized by the unjust interferences of others. In this sense, liberty is understood as 'negative liberty'. The notion of Political participation and self-government are altogether devoid (or affirmed only in a minimal sense) in the conception of negative liberty. The primary role of government is not to induce wide range political participation among its citizens, nor to encourage its citizens to engage in public deliberation to formulate the common will or the common good of the particular community, but to establish a fair system of social cooperation and a just basic structure that can secure certain basic rights to its citizens. The realms of the public and the private are strictly divided, and the emphasis is tilted to the formal 'procedures' of the public rather than the civic lives of the private.


By contrast, the republican democratic model refuses the dichotomy between the public and the private and regards society as a civic society from the start. Society is seen as an organic whole that is composed of the political will and the common good formulated by its citizens. Individuals are not just bearers of certain negative rights, but also active members and the protagonists of the political process itself. The role of government is not to establish a fair system or a just procedure of society, but to activate its citizens to participate in the political process and formulate the common will of the community.

The liberal democratic model and the republican democratic model each have their own strengths and weaknesses. The strength of the liberal democratic model is that it emphasizes the importance of fair procedures and just social systems. The weakness is that the liberal democratic model lacks certain resources that are indispensable for active political participation and political discussion that attends to the common good of the community. The strength and weakness of the republican democratic model is the exact opposite of the liberal democratic model. That is, the republican democratic model has its strength in its emphasis in political participation and political discussion that attends to the common good of the community, but has its weakness in the fact that it overlooks the importance of fair formal procedures and just social systems entirely. By neglecting the importance of fair procedures and just social systems, the republican democratic model depends too much on the civic virtues of its citizens for the success of democracy.

To this, Harbermas tries to synthesize the two democratic models by complementing the shortfalls of each democratic model by accommodating the positive elements of the other. The result of this synthesis is an alternative democratic model which Harbermas names “deliberative democratic model”.25) The deliberative democratic model has normative

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implications about the democratic process that is stronger than that of the liberal democratic model, but weaker than that of the republican democratic model. As with the republican democratic model, the deliberative democratic model puts the process of political participation and the formation of political opinions at center stage. However, the deliberative democratic model doesn't regard formal procedure and legal institutions as secondary. Instead, the deliberative democratic model seeks ways to institute certain formal procedures of mutual communication and public deliberation that can guarantee the just outcome of the entire political process. According to Habermas, the success of deliberative democracy does not depend on the competence or the virtues of active citizens, but rather on the institution of communicative and deliberative procedures.26)

A similar view has been presented by Joshua Cohen.27) Just like other republican theorists, Cohen considers public deliberation focused on the common good as an essential element of democratic politics. According to Cohen, inside the democratic association, free deliberation among equals is the basis of legitimacy28), and citizens share a special commitment to public reasoning. But, just like Habermas, Cohen doesn't think that public deliberation can happen automatically. In order for public deliberation to work, Cohen finds it necessary that certain deliberative procedures that are 'ideal' be mirrored by political institutions. The ideal procedure of public deliberation that Cohen suggests includes the notions, that the participants of deliberation are free, that the deliberation itself is reasoned (the participants are required to state their reasons for advancing proposals), that the participants are both formally and substantively equal, and that the

26) Ibid., p.363.
28) Ibid., p.346.
deliberation aims to arrive at a *rationally motivated consensus*.\(^{29}\)

Since it is the procedure, (whether it is the procedure of rational communication (Harbermas) or the ideal deliberative procedure (Cohen)), that guarantees the just outcome of political deliberation, both theorists maintain that it is essential that the procedure of public deliberation remain 'neutral'. That is, the procedures themselves should not presuppose any particular conception of the good. In this sense, it can be maintained that both Harbermas and Cohen accord with Rawls' view that the right is prior to the good, and that the questions of good life should yield its way to the questions of justice. Of course, there is a big difference between Rawls and Harbermas when we concern the range of topics each theorists allow within public deliberation; Rawls restricts the topics of public deliberation to what is solely related to the political domain, while Harbermas seems to allow a wider range of topics to be discussed inside the political arena, given the requirements of ideal deliberative procedures are sufficiently met. In other words, Harbermas doesn't require the participants to 'bracket out' their moral and religious convictions entirely when engaging in political discussion as Rawls does. However, even Harbermas seems to regard only the power of arguments as a legitimate source of rational justification. According to Harbermas, in an ideal deliberative situation ‘no force except that of the better argument is exercised’ (1975, p.108).

So, the difference between Sandel's formative republicanism and other forms of deliberative democratic models can be put in this way. First, while the deliberative democratic models depend entirely on rational 'procedures' for the success of public deliberation, Sandel's formative republicanism depends more on the 'civic virtues' and the 'moral capacities' of the citizens themselves for such success. In this sense, as I mentioned earlier moral character and identity becomes a public, rather than a private matter in Sandel's formative republicanism. Second, while it

\(^{29}\) Ibid., pp.347-348.
is true that the deliberative democratic models allow a wider range of topics to be discussed within the political arena than the liberal procedural models, it must be noted that deliberative democratic models still regards only argument as a legitimate source of rational justification. By contrast, not only does Sandel think that there is no problem with discussing particular moral and religious issues politically, but he also thinks that, along with argument, narratives and story-telling themselves can also become legitimate sources of justification in the political arena.

However, according to Sandel, the role of narratives and story-telling has been overlooked entirely by the liberal procedural tradition of contemporary American society. The liberal procedural view requires the citizens to bracket out their private moral and religious convictions when engaging in public deliberation, and requires the state to be entirely neutral to the conceptions of the good. However, according to Sandel, ‘politics that brackets morality and religion too completely soon generates its own disenchament’\(^{30}\) and more importantly, this overlooks the fact that human beings are naturally story-telling beings.


\(^{31}\) Ibid., p.351.

'The loss of the capacity for narrative would amount to the ultimate disempowering of the human subject, for without narrative there is no continuity between present and past, and therefore no responsibility, and therefore no possibility of acting together to govern ourselves. (…) Since human beings are story-telling beings, we are bound to rebel against the drift to storylessness.'\(^{31}\)

This is why Sandel's formative republicanism requires us to restore narratives to political deliberation and complement the role which argument was incapable of sufficiently handling alone. Although the unencumbered self might be capable of making sense of arguments, only the particularly
situated selves who are encumbered by their personal and national history, tradition, as well as their particular moral and religious convictions can make sense of narratives and story telling during political deliberation. In this way, the particular beliefs and convictions of citizens enter political domain. And, through the dialectical process of political discussion, which involves both arguments and narratives, can the republican community become possible to find the right answer to the specific questions it addresses.

4. Benjamin Barber's "Strong Democracy"
- how it is similar to Sandel's formative republicanism

4-1. Strong Democracy vs. Weak Democracy

It can be said that Sandel's formative republicanism has a much better resemblance with what Benjamin Barber calls "Strong Democracy"32) than with other contemporary deliberative democratic models. Barber adopts a similar approach to that of Sandel by attempting to present a republican alternative to modern procedural liberal democracies. Barber describes modern forms of liberal representative democracies as thin or "weak democracy". In weak democracy, political process is reduced to the act of voting, that is, the act of choosing representatives who are elected by majority vote by the people who are guided mainly by their own self-interest. Once elected, the representatives conduct public policy without the supervision of the citizenry. What is missing in weak democracy, is the concept of active political participation by the citizens themselves, and the concept of self-government which attends to the

common good of the community. The alternative model is what Barber calls “strong democracy”, a republican model which I think is quite similar to that of Sandel's formative republicanism.

According to Barber, strong democracy is defined by politics in the participatory mode: literally, it is self-government by the citizens rather than representative government that is (merely) in the name of citizens.\(^{33}\) In other words, in strong democracy, the active citizens govern themselves *directly, not merely representatively*. By participating in the active process of political deliberation, the scattered and diversified preferences of individuals get *transformed* into a unified vision of the common good and political will. Barber emphasizes that as private persons we may *prefer* all sorts of things, but as citizens we must be prepared to *will* a common goal that might contradict to our own private preferences.\(^{34}\)

We can find many aspects of Barber's strong democracy that directly accords with Sandel's political theory. First of all, Barber maintains that each step in the process of political deliberation is "a flexible part of ongoing procedures that are *embedded in concrete historical conditions and social and economic actualities*.\(^{35}\) This basically accords with Sandel's view that we are naturally "encumbered selves" who are embedded within a particular history and a particular tradition, and that it is not desirable to remove this 'encumbered-ness' artificially during political process. Second, just like Sandel, Barber thinks that the community should assume the role of guidance to educate and turn its people into good citizens by inculcating certain civic virtues necessary for the self-governing republic. Barber writes,

> 'Community grows out of participation and at the same time makes participation possible: civic activity *educates* individuals how to

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\(^{33}\) Ibid., p.213.

\(^{34}\) Ibid., pp.219-220.

\(^{35}\) Ibid., p.214 (emphasis added).
think publicly as citizens even as citizenship informs civic activity with the required sense of public-ness and justice. *Politics becomes its own university, citizenship its own training ground, and participation its own tutor*.36)

Third, just like Sandel, Barber conceives liberty, not as a constraint to self-government, but as the very consequence of self-government. According to Barber, 'freedom is what comes out of this process (of political deliberation), not what goes into it'.37) However, the most instructive aspect of Barber's strong democracy, which provides us with a lot of insights to understanding the core element of Sandel's formative republicanism, is his in depth discussion on political "talk".

4-2. "political talk" in strong democracy

As I have mentioned above, political discussion consisting of both arguments and story-telling is a core feature of Sandel's political theory. However, Sandel hasn't presented an elaborative description of how the aspects of political talk would actually appear. I think that Barber's description of political talk gives us a fair picture of what Sandel might have intended. This is why I think it is conducive to look in detail to Barber's theory of political talk.

As Barber puts it, 'at the heart of strong democracy is talk'.38) Barber acknowledges that the element of political talk is not entirely devoid in the liberal democratic tradition. But, Barber points out that the appreciation of political talk within the liberal democratic tradition has been extremely limited. That is, the liberal democratic tradition hasn't appreciated political talk in its full fledged form, but has only approved a narrow portion of it. Barber writes:

36) Ibid., p.214 (emphasis added).
37) Ibid., p.214.
38) Ibid., p.216 (emphasis added).
modern democratic liberals certainly maintain the close identity of politics and talk, but they do so by reducing talk to the dimensions of their smallish politics and turning it into an instrument of symbolic exchange between avaricious but prudent beasts.  

Here, Barber is specifically targeting his criticism to the modern tendencies of philosophical linguistics within the analytic tradition, which aims to reduce the complexity of our ordinary language into simple logical formulas. Barber writes:

'(...)
reductionist lexicography (...)
gives to every term in the language of rhetoric an austere referent in the physics of psychology. (...)
abetted by stimulus-response models of social behavior, by nominalist and behaviorist models of linguistics, and by logical-positivist models of social science, this lexicography has impoverished political talk, both as a medium of politics itself and as a tool for rendering political processes intelligible.'

Yet talk remains central to politics, which would ossify completely without its creativity, its variety, its openness and flexibility, its inventiveness, its capacity for discovery, its subtlety and complexity, its eloquence, its potential for empathy and affective expression, and its deeply paradoxical (some would say dialectical) character that displays man's full nature as a purposive, interdependent, and active being. Now, it can be fairly said that Barber's criticism towards the reductionist approach to language, and his emphasis on the non-cognitive aspects of ordinary language is parallel to Sandel's criticism towards political discussion confined to logical arguments, and his emphasis on narratives and story-telling.

39) Ibid., p.216 (emphasis added).
40) Ibid., p.216.
41) Ibid., p.216 (emphasis added).
There are three basic characteristics of political talk in strong democracy which Barber emphasizes. The first characteristic of political talk is that it emphasizes “listening” no less than “speaking”. Barber points out the liberal democratic tradition has reduced talk into mere speech and has neglected the importance of “listening” in political deliberation altogether. This can be seen as a natural consequence of the representative nature of liberal democratic systems in general. Since it is far easier for representatives to speak for the people than to listen for them, the speaking function is naturally enhanced while the listening function is naturally diminished during political process. However, nourishing the mutual art of listening becomes essential in strong democracy since it is characterized by the direct participation of self-government by the citizens themselves. Barber emphasizes that the correct meaning of “I will listen” is not that I will scan my adversary’s position for weaknesses and potential trade-offs, nor does it mean (as a minimalist might think) that I will tolerantly permit him to say whatever he chooses, but rather it means that “I will put myself in his place, I will try to understand, I will strain to hear what makes us alike, I will listen for a common rhetoric evocative of a common purpose of a common good.”

Here we can see Barber’s indirect attempt to criticize the liberal notion of “tolerance” and more over the liberal notion of “state neutrality”. This is another point which is in direct accordence with Sandel’s view.

However, the emphasis on listening has another significant implication. According to Barber, the liberal theorist’s emphasis on speech is only concerned with formal equality; that is, it only guarantees that everybody

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42) Ibid., p.217.
43) According to Sandel, the liberal aspiration for neutrality and tolerance, which is the main justification for the insistence of bracketing out people’s moral and religious convictions inside the political domain, has brought out an undesirable consequence of increasing religious fundamentalism. From “김산육, 대담-마이클 샘델, 자기 해석적 존재를 위한 정치철학, 철학과 현실 제67호 (2005년 겨울), 철학문화 연구소”, p.228.
has a formal right to speak. However, by considering the fact that there are natural inequalities in individual's abilities to speak with clarity, eloquence, logic, and rhetoric, the practice of speech might itself increase substantive inequalities among the citizens. By contrast, Barber maintains that listening is a mutualistic art that enhances equality by its very practice.44)

The second characteristic of political talk in strong democracy is that it encompasses the “affective” as well as the “cognitive” side of language. The target of criticism is once again on the linguistic philosophers within the analytic tradition. The modern linguistic philosophers have tried to purge the affective side of ordinary language, and tried to reconstruct language above a pure cognitive basis. According to Barber, these philosophers have been ‘forever trying to domesticate unruly words with the discipline of logic, trying to imprison speech in reason, trying to get talk not to reveal but to define rationality’.45) Barber names the task of these philosophers as “verbal eugenics”. However, in Barber’s point of view, this kind of experiment has only impoverished politics without ever achieving the elevation of talk itself. According to Barber, all of this is unnatural, and once

‘stripped of such artificial disciplines, talk appears as a mediator of affection and affiliation as well as of interest and identity, of patriotism as well as of individuality. (…) It offers, along with meanings and significations, silences, rituals, symbols, myths, expressions and solicitations, and a hundred other quiet and noisy manifestations of our common humanity. Strong democracy seeks institutions that can give these things a voice—and an ear.’46)

This aspect of political talk gives us an insight of what Sandel might

45) Ibid., p.217.
46) Ibid., p.217.
have intended when he emphasized narratives and story-telling in political deliberation.

The third characteristic of political talk which Barber emphasizes is its practical role within political action. According to Barber, 'political talk is not (merely) talk about the world: but is talk that makes and remakes the world also'. With talk we can invent alternative futures, create mutual purposes, and construct competing visions of community. The liberal theorists have underappreciated this kind of role which political talk is capable of ensuing. According to Barber, this under-appreciation is partly due to the passive nature of weak democracy itself, and partly due to the analytic philosophers who were impatient with the concept of contingency, which entails possibility as well as indeterminateness. However, Barber writes that 'significant political effects and actions are possible only to the extent that politics is embedded in a world of fortune, uncertainty, and contingency.'

5. Procedural Liberalism and Civic Republicanism: Friends, or Enemies?

-Will Kymlicka's approach to reconcile procedural liberalism and civic republicanism

5-1. Procedural Liberalism: Left or Right?

As we have seen, Sandel presents his formative republicanism as an alternative to what he calls procedural liberalism, which he alleges to have dominated American politics in recent years and has caused its discontent. However, as I see it, there are certain merits of procedural liberalism that

47) Ibid., p.218.
48) Ibid., p.218.
might not be fully appreciated by the formative republicanism which Sandel presents. These merits of procedural liberalism include securing individuals with certain universal rights which protect them from becoming victimized by the contingencies of social and individual circumstances. The question, then, naturally rises whether certain aspects of Sandel's formative republicanism can be reconciled with procedural liberalism in general.

I think an illuminating approach has been laid out by Will Kymlicka. Kymlicka claims that we should be very cautious in blaming procedural liberalism for causing democracy's discontent in contemporary American politics, since there are two quite distinguishable forms of procedural liberalism: the left-wing procedural liberalism and the right-wing procedural liberalism. Although the two versions of liberalism are both labeled under the same heading, 'procedural liberalism', it should be emphasized that the left wing version and the right wing version of procedural liberalism each have quite different political implications for issues like virtue and identity. According to Kymlicka, insofar as procedural liberalism has triumphed in the USA, it is not the left-wing version but predominantly the right-wing version.


50) Ibid., p.142.

In other words, if there are, indeed, discontents of the current situation
of American politics, the blame should be targeted to the right-wing version of procedural liberalism, not to the left-wing version of procedural liberalism or to procedural liberalism in general.\textsuperscript{51)} Since, the left-wing version of procedural liberalism has never been practically influential in the USA, it is hard to assess what the left-wing version of procedural liberalism might incur when it is practically applied. Then, how can the two versions of procedural liberalism be properly distinguished? And moreover, what are the main principles that the two versions of procedural liberalism share in common that makes it possible to call them both "procedural liberalism"? Kymlicka provides us with a simple answer; he characterizes procedural liberalism into three major claims about the self, the state, and fairness. According to Kymlicka, the first two claims are common to both left-wing and right-wing liberalism, while the third is distinctive to left-wing 'liberal egalitarianism' exclusively.

(1) Rational Revisability

Individuals are not assumed to have fixed and unchangeable conceptions of the good. Rather each individual should have the capacity to rationally reflect on the ends she currently endorses, and to revise these ends if they are no longer deemed worthy of her continued allegiance.\textsuperscript{52)}

According to Kymlicka, this commitment to rational revisability is the claim which Sandel refers to as the "unencumbered self", or as "the priority of the self over its ends". Kymlica explains that the state has an important role of promoting this kind of commitment to rational

\textsuperscript{51)} Kymlicka implies that even the right-wing version of procedural liberalism, which has triumphed in the recent situation of American politics, is not in its pure form, but has been combined with several other forms of cultural conservatism such as racism, natives, class prejudice, sexism, and fear of big government. Ibid., p.142.

\textsuperscript{52)} Ibid., p.133.
revisability in a liberal society. The state does this in part by providing liberal education which develops the capacities of the citizens to choose their own ends, and in part by prohibiting other individuals or groups from interfering with other people's lives and attempting to force other individuals to endorse their particular conception of the good. This view about the proper role of the state naturally connects us to the next commitment of procedural liberalism.

(2) The Nonperfectionist State

The state should be neutral (⋯), in the sense that it should not justify its legislation by appeal to some ranking of the intrinsic worth of particular conceptions of the good. The role of the state is to protect the capacity for individuals to judge for themselves the worth of different conceptions of the good life, and to provide a fair distribution of rights and resources (⋯) (that) enable people to pursue their (own) conception of the good. The state (⋯) insists that people adjust their conception of the good to respect the rightful claims of others. But if someone's conception of the good does respect the rightful claims of others, then the state should not be assessing the intrinsic merits of her (justice-respecting) way of life.53)

Kymlicka explains that this is the claim which Sandel refers to as the "neutral state", or as the "priority of justice (or the right) to the good". The word "procedural" in procedural liberalism derives from the notion that liberalism is not justified by a particular conception of the good. Rather it is justified by, what liberals call, the conception of the right which is neutral to the particular conceptions of the good in question. As Kymlicka explains above, procedural liberalism requires the citizens to respect this conception of the right (or justice). In this way, the conception of the right (or justice) puts liminary boundaries for certain conceptions of the good to be considered legitimate in a just society; that is, liberals do not approve

53) Ibid., p.133.
certain conceptions of the good which deny the very conception of the right (or justice). As Rawls puts it, ‘the principles of right and so of justice put limits on which satisfactions have value’.54) However, given that the conception of the right (or justice) is fully respected, liberals allow the individuals to choose whatever conception of the good they personally prefer. The two claims of ‘rational revisability’ and ‘the non-perfectionist state’ are common to both versions of procedural liberalism. However, the third claim, which we are about to discuss, is distinctive only to the left-wing version of procedural liberalism.

3) Rectifying Morally Arbitrary Inequalities

Inequalities which are “morally arbitrary”—that is, inequalities which are not chosen or deserved are unjust, and should be rectified. (…) if people have unequal holdings as a result of their circumstances—rather than their choices—then these are morally arbitrary and unjust.55)

It says here that the left-wing version of procedural liberalism requires the state to rectify unjust inequalities that stem from morally arbitrary circumstances. It should be emphasized that the circumstances which the left-wing liberal considers as morally arbitrary include not only social circumstances (such as being born into a rich or poor family), but also natural talents (such as being born with a relatively high or low IQ). As Rawls puts it, ‘no one deserves his place in the distribution of native endowments, any more than one deserves one's initial starting place in society.’56) Thus, in a just society, any inequalities that stem from these morally arbitrary circumstances should be rectified. Furthermore, since it is equally arbitrary from a moral point of view for somebody to possess an

exceptional natural talent, (no lesser than being born into a wealthy family), the left-wing liberals require us to regard people's natural assets as common assets that can be utilized for the benefit of social cooperation.57) These claims of the left-wing version of procedural liberalists are, indeed, in sharp contrast with the claims of the right-wing version of procedural liberalists, who are advocates of absolute property rights and who deny the intervention of the government to rectify inequalities that stem from natural and social circumstances, given that the principles of just initial acquisition and just transfer are met.58) What Kymlickas is trying to argue here is that, unlike the right-wing version of procedural liberalism, the left-wing version of procedural liberalism is an ally with civic republicanism on most issues. Let's see how this can be so.

5-2. How liberal egalitarianism can attend to republican values of civic virtues and identity

As we have seen from above, Kymlicka distinguishes two distinct versions of procedural liberalism, the left-wing version and the right-wing version, and maintains that Sandel's criticism should be properly directed to the latter for causing democracy's discontent in contemporary American politics. However, Kymlicka maintains that unlike the right-wing version of procedural liberalism, the left-wing version of procedural liberalism may not be entirely antagonistic to certain republican values like civic virtues and communal identities as Sandel might think. This is because civic virtues and communal identities can be promoted not only on the basis of a particular conception of the good life, but also on the very basis of the conception of the right or liberal justice.

According to Kymlicka, Sandel's main argument against procedural liberalism can be put as follows59: procedural liberalism is causing

Sandel's Formative Republicanism

democracy's discontent mainly because it lacks the ability to promote certain republican values such as civic virtues and communal identities, and the main reason why procedural liberalism is incapable of promoting civic virtues and communal identities is because procedural liberalism is deeply committed to the notion of the "neutral state" and the "unencumbered self". In other words, the main reason why procedural liberalism is incapable of promoting civic virtues and communal identities, (which is the main cause of discontent in contemporary American politics), is because the liberal notion of "state neutrality" prohibits the state from affirming a particular conception of the good. We can see that the underlying assumption of Sandel's argument is that the republican values of communal identity and civic virtues are inextricably connected to the particular conceptions of the good. Kymlicka challenges this assumption and maintains that civic virtues and communal identities can be advocated from an entirely different basis: the basis of the right or justice.

'It is clearly not true that promoting a conception of virtue is by definition promoting a conception of the good. It all depends on why one is promoting a conception of civic virtue. If the state is promoting these virtues on the grounds that possessing them will make someone's life more worthwhile or fulfilling then clearly it is promoting a particular conception of the good. However, if the state is promoting these virtues on the grounds that possessing them will make someone more likely to fulfill her obligations of justice, then it is not promoting a particular conception of the good.60)

Instead, it is promoting the very conception of the right or justice. Here, Kymlicka is making a clear distinction between the justification of civic

60) Ibid., p.136 (emphasis added).
virtues and the civic virtues themselves. Whether or not promoting civic virtues is a matter of promoting a particular conception of the good, depends entirely on how the promotion of civic virtues in question is justified. If the state defends the promotion of civic virtues on the ground that possessing them will make the lives of the individuals more worthwhile and more intrinsically rewarding, the state is clearly promoting civic virtues on the basis of a particular conception of the good. But, if the state defends civic virtues on the ground that possessing them will make people more willing to fulfill the obligations of justice and respect the rightful shares of others, then the state is not promoting civic virtues on the basis of a particular conception of the good, but on the basis of the conception of the right or justice. In the latter case, civic virtues can be seen as a precondition for justice. Therefore, the very fact of promoting civic virtues itself cannot be seen as a distinctive character of civic republicanism alone, since procedural liberalism can also find strong motivational grounds for promoting such virtues from the basis of justice or the conception of the right. A similar claim can be made to communal identities.

The same applies to questions of communal identity. Promoting a particular communal identity need not involve promoting a particular conception of the good life. It all depends on what sort of identity it is, and why it is being promoted. If the basis for the communal identity is a shared conception of the good, then promoting such an identity will obviously involve promoting a particular conception of the good life. However, this is not the only basis for communal identities. In many cases the basis for communal identity is not a shared conception of the good, but rather a more diffuse sense of belonging to an intergenerational society, having a common past and sharing a common future.61)
Kymlicka calls this "diffused sense of belonging" the "thin" communal (or national) identity. According to Kymlicka, this "thin" communal (or national) identity is typical to most of the western societies today. The word "thin" comes from the very fact that the identity in question is not based on a shared commitment to a particular conception of the good. This applies to most of the contemporary liberal societies that approve and maintain a pluralistic value system, and nonetheless, try to maintain a common sense of belonging among its citizens. For example, as Kymlicka puts it, citizens think of themselves as "American" and identify with other Americans without sharing or even knowing what particular conceptions of the good the other is committed to. There are many Catholics, Protestants, Muslims, Buddhists, and other numerous people who are committed to various religious beliefs, (even people who are not committed to any religious belief at all), in contemporary American society, and the fact that they affirm different conceptions of the good doesn't even make any one of them less "American". In other words, there is, of course, unquestionable a common national identity that is shared by contemporary Americans, but it must be made clear that this shared national identity is not based on a shared commitment to a particular conception of the good of any sort, which makes this national identity "thin". Despite its "thinness", the government, nonetheless, have other legitimate reasons to encourage its citizens to share this common sense of belonging.

Liberal states have historically promoted this sort of "thin" national identity. And they have done so, not in order to promote a particular conception of the good life, but rather to increase the likelihood that citizens will fulfill their obligations of justice. We know that people are more likely to make sacrifices for others if these others are viewed as "one of us", and so promoting a sense of national identity strengthens the sense of mutual obligation needed to sustain liberal justice.'62)
In other words, a common sense of belonging among the citizens might be needed in order to make the citizens better respect the requirements of justice. Sometimes it might even be essential for the citizens to have a shared understanding of this sort for the state to promote the conception of the right. And for this very reason, it is perfectly possible for the liberal states to promote republican values such as communal identities as well as civic virtues among its citizens. And, in this way, the practical appearance of the left-wing version of procedural liberalism might be quite similar in many aspects to Sandel's formative republicanism when it is applied to the real-world. Kymlicka emphasizes that these similarities are not merely limited to issues of civic virtues and communal identities alone, but can also be extended to issues of political participation.

‘(…) enhancing the quality of political participation would not require sacrificing liberal justice. On the contrary, most plausible suggestions for how to improve collective self-government would also involve improving liberal justice-that is, they would involve reducing undeserved inequalities in people's social status, economic resources, and political influence’.63)

Here, Kymlicka is emphasizing that even political participation and the republican value of self-government, which is the core element of civic republicanism, can be encouraged and promoted within the liberal state by attending to the very conception of liberal justice and the conception of the right. The main point Kymlicka is trying to make is that in virtually all real-world issues procedural liberalism and civic republicanism should be considered as allies not adversaries, and trying to emphasize the difference between the two stances are both misguided and counterproductive.

As we have seen so far, Kymlicka has tried to reconcile the left-wing

62) Ibid., p.137.
63) Ibid., p.141.
version of procedural liberalism with civic republicanism by showing how the liberal state can promote such republican values as civic virtues, communal identities and even political participation, not by resorting to a particular conception of the good, but by resorting to the very conception of the right and liberal justice. However, as I see it, this type of reconciliation is "temporary" at best, since there would be clear cases, where procedural liberalism and civic republicanism would turn out to be clear adversaries, when the advocacy of liberal rights are in conflict with the promotion of certain types of republican good. In these cases, it seems that Kymlicka will be fighting with the liberals against the civic republicans. Moreover, the accommodation of the republican value of collective self-government in the liberal state is at best "indirect", in the sense that the liberal state would only concentrate on meeting certain social conditions (such as reducing undeserved inequalities) that would make political participation more viable, rather than directly attending to the values of political participation itself. For example, even when undeserved inequalities are fully rectified by the liberal state, there might still be people who would want to exercise their rights to remain politically apathetic rather than participating in political affairs. I am sure that procedural liberalism and civic republicanism will disagree about the proper measurement of the state on these and other issues. Finally, even if it is fully recognized that procedural liberalism is not, in principle, incompatible with the republican ideal of self-government, I don't think that procedural liberalism will be able of appreciating political participation in its full-fledged form, by allowing citizens to bring in their particular moral and religious convictions during political deliberation, and letting them utilize narratives and story-telling as a means of justification for certain public policies as Sandel's formative republicanism requires.
6. Is Sandel's formative republicanism really non-exclusive and non-coercive?

Until now, we have seen the overall picture of Sandel's "formative republicanism". I have tried to show how Sandel's "formative republicanism" is different from the contemporary forms of deliberative democratic models, and how it resembles Barber's "strong democracy" in many aspects. Now, we should turn our attentions to the possible problems that Sandel's "formative republicanism" might face; the problems of exclusiveness and coerciveness.

6-1. Can Sandel's formative republicanism be free from exclusiveness?

Sandel explains that there exists a traditional worry that republicanism is both exclusive and coercive. It can be said that both worries of exclusiveness and coercion of republican politics stem from the rather demanding requirements of republican citizenship. Here, I will first attend to the issues on possible exclusiveness, and then attend to the issues on possible coerciveness in a sequence.

Sandel explains the main reasons why there are such worries that republicanism can be coercive. Sandel writes:

'If sharing in self-rule requires the capacity to deliberate well about the common good, then citizens must possess certain excellences of character, judgment, and concern for the whole. But, this implies that citizenship cannot be indiscriminately bestowed. It must be restricted to those who either possess the relevant virtues or can come to acquire them.'

Thus, the accusation goes that the republican political theory is exclusive, in the sense that it denies the citizenship of certain people who are not capable of acquiring the respective virtues that the republican citizenship requires. One of the typical examples of this kind of exclusive form of republicanism can be traced to Aristotle. It is said that Aristotle considered women, slaves, and foreigners unworthy of citizenship because their nature or roles made it impossible for them to develop the relevant excellences that is needed to be thought eligible for republican citizenship. However, Sandel claims that this kind of accusation only applies to the traditional forms of republicanism that links the capacity for civic virtue to the fixed categories of birth and condition. However, according to Sandel, republicanism doesn't necessarily have to be this way.

The assumption that the capacity for virtue is incorrigible, tied to roles or identities fixed in advance, is not intrinsic to republican political theory, and not all republicans have embraced it. Some have argued that good citizens are made, not found, and have rested their hopes on the formative project of republican politics.65)

Here, it must be clearly noted that Sandel is not trying to lower the qualifications of republican citizenship itself to embrace a broader range of people for republican citizenship; that is, Sandel still seems to think that people need to possess certain arrays of civic virtues and a high degree of moral excellence in order to be eligible for republican citizenship. Rather, Sandel's strategy is to say that, unlike the traditional forms of republicanism which restricted the ability to develop moral excellence to only certain types of people, (domestic men in the case of ancient Greece), the formative project of republicanism considers that everybody has the potential to become morally excellent; perhaps through proper forms of republican education and upbringing. This is the main reason why Sandel

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65) Ibid., p.319.
refers to his republican political theory as "formative". In other words, unlike the traditional forms of republicanism of Aristotle, formative republicanism thinks that civic virtues and moral excellences are not determined by birth, but can be formulated and taught to its people. So does this make Sandel's formative republican theory non-exclusive? Probably, but not enough.

Of course, it is obvious that Sandel's formative republicanism is, indeed, less exclusive than certain traditional forms of republicanism of the ancient Greeks that denied the republican citizenship of women, foreigners, and slaves from the very start. However, Sandel's formative republicanism can still be exclusive within contemporary societies, since there remain a vast number of people who are incapable of cultivating civic virtues and moral excellences that the formative republicanism requires for republican citizenship due to their contingent social and natural circumstances. For example, there are a vast number of immigrants in America, who lack the ability to communicate effectively in English. Since the republican citizenship requires the people to deliberate well during the process of political discussion, (and since, in America, this process of public deliberation will, indeed, be conducted in the English language), these people would be in a disadvantage position to acquire full republican citizenship compared to other Americans who are fluent English speakers. It is obvious that providing official and unofficial English education and training for these people would be insufficient, when one considers how hard it is to master a foreign language after one is grown up. No matter how hard these people try, there is a certain natural limit for these people to develop English capacities that are equivalent to that of the fluent American.

Another example is the fact that children who are born into a well-to-do family, where the child's parents are both highly educated people, will be in a better position to cultivate such republican values, (such as deliberating well with other people who have contrasting views points and
conceding one's egoistic self-interests for the sake of the common good, and so on), than children who are born into extremely poor families or ghettos, where most of the conflicts, whether it is inside the house or outside, are resolved mostly by resorting to brute violence. The children from well-to-do families will receive better education and upbringing, either from their homes or from their schools, than the children from extremely poor families, and this will, in turn, widen the gap of certain republican virtues that are possessed, between each of these two groups of children. This means that, in many cases, children from well-to-do families will turn out to be more eligible for republican citizenship than the children from poorer families. This has the very consequence of making republican citizenship roughly proportionate to one's initial starting place in society, which is unfair from liberal point of view.

A more devastating example will be with the people who are born with a congenital mental handicap, or people who are intellectually retarded. It will be nearly impossible for these people to develop the level of moral (or at least intellectual) competence that the republican citizenship requires, no matter how hard we try to cultivate and educate these people to acquire them. Thus, it can be fairly said that formative republicanism remains exclusive to these types of people. In short, since republican citizenship requires the citizens to possess civic virtues and a high caliber of moral character, republican citizenship cannot be bestowed unconditionally to everyone, but only to a certain people who meet the required standard of excellence, and in many cases, this will have the consequence of making republican citizenship relative and proportionate to one's initial starting place in society. People who are born with a congenital mental handicap will be excluded in principle, while people who are born into undesirable social circumstances will be excluded, in many cases, in practice. Thus, despite the formative project of Sandel' republicanism, republicanism can be still (potentially) exclusive.
6-2. Can Sandel's formative republicanism be free from coerciveness?

Another aspect of the formative republicanism that is deeply related to the problem of exclusiveness is its potential coerciveness. Sandel himself admits that applying the formative ambition of civic republicanism to modern democratic societies can become coercive. This is because the expansive boundaries of membership of modern democratic societies render the task of cultivating civic virtues and moral excellences among its citizens an overwhelming task that is more demanding than ever before.

'The task of forging a common citizenship among a vast and disparate people invites more strenuous forms of soul craft. This raises the stakes for republican politics and heightens the risk of coercion.'

Sandel represents Rousseau's republicanism as one of the most typical examples of republican politics that shows this type of coerciveness. According to Sandel, the main source of coercion in Rousseau's republican political theory is rooted in the unitary nature of the common good that it seeks to achieve.

'This peril (of coerciveness) can be glimpsed in Rousseau's account of the formative undertaking necessary to a democratic republic. The task of the founder, of great legislator "must deny man his own forces" in order to make him reliant on the community as a whole. The more each person's individual will is "dead and obliterated," the more likely he is to embrace the general will. "Thus if each citizen is nothing and can do nothing except in concert with all the others... one can say that the legislation has achieved the highest possible point of perfection."'

66) Ibid., p.319 (emphasis added).
As we can see, the republicanism defended by Rousseau abhors differences and seeks to converge and unify the disparate desires of the individuals into a unitary whole, or what is called the “general will”. However, too much emphasis on this unitary conception of the common good, or the so called “general will”, deprives republican politics with one of its core elements; political deliberation.

"Where the general will prevails, the citizens “consider themselves to be a single body,” and there is no need for political argument. “The first to propose [a new law] merely says what everybody has already felt; (...)” Given the unitary character of the general will, deliberation at its best issues in silent unanimity: “The more harmony reigns in the assemblies, that is to say, the closer opinions come to unanimity, the more betoken the ascendance of private interests and the decline of the state.” Since the common good does not admit of competing interpretations, disagreement signals corruption, a falling away from the common good."^{68}

However, Sandel emphasizes that this is not the only form of republican politics that can be realized, since there exists more positive instances; such as the republican politics of Tocqueville.

"Unlike Rousseau’s unitary vision, the republican politics Tocqueville describes (...) does not despise differentiation. Instead of collapsing the space between persons, it fills this space with public that gather people together in various capacities, that both separate and relate them. These institutions include the townships, schools, religions, and virtue-sustaining occupations that form the “character of mind” and “habits of the heart” a democratic republic requires. Whatever their more particular purposes, these agencies of civic education inculcate the habit of attending to public things. And yet

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^{67} Ibid., p.319 (emphasis added).
^{68} Ibid., p.320 (emphasis added).
Thus, it is not the formative ambition, but the assumption that the common good is unitary and uncontestable that makes republicanism coercive. Here, we can find what the underlying assumption of Sandel's argument is: “something is not coercive, if and only if that something approves the differences between individuals,” Rousseau's republicanism didn't approve the differences between individuals, by requiring the individuals to conform to a unitary conception of the common good. Therefore, Rousseau's republican politics was coercive. However, Tocqueville's republicanism approved the differences between individuals and didn't require the individuals to conform to a unitary conception of the good. Therefore Tocqueville's republican politics was not coercive. Since we can find at least one instance of republican politics that was not coercive, the claim that republican politics is, in principle, coercive is not true. Moreover, despite the fact that Toqueville's republicanism had a strong formative ambition to make people into good citizens by inculcating civic virtues through various sources of educational institutions; it must be noted that it was, nonetheless, “non-coercive”. Therefore, it is not the formative aspect of republicanism, but the assumption that the common good is unitary and uncontestable, which denies the differences between individuals, (and also which republicanism can do without), that makes republicanism coercive.

I believe that this is quite a fair representation of Sandel's argument against coercion. The challenge I want to make is to the underlying assumption that “something is not coercive, if and only if that something approves the differences between individuals.” In my point of view, even if something, (in this case, a political theory, or a political regime), truly

69) Ibid., p.321 (emphasis added).
approves the differences between individuals, it can still be coercive if it requires people, even if it is just one person, to do things that he or she has no desire to conduct. A case can be made with the politically apathetic person as I have previously mentioned. There might be a person who respects the rightful shares of others and does not intend, in any way, to interfere with other's just claims, but simply doesn't want to participate in politics, or engage in public matters, period. He is simply satisfied with his private life. He doesn't care about others, he has no concern about his community, he doesn't possess any one of the civic virtues or moral excellences that the republican citizenship requires; he only cares about himself. But, nonetheless, he does not cause any harm to other people. Maybe, this sort of life style itself is his particular conception of the good; that is, he thinks that it is desirable to be strictly private and to be politically indifferent.

How should Sandel's formative republicanism evaluate this self-centered egoistic individual? Clearly, he is a bad citizen (in the republican sense). He is somebody who lacks moral character and also he might be somebody who you would not want to be friends with or even neighbors. However, does this, that is, does being a bad citizen (in the republican sense) justify the formative ambition of Sandel's republicanism to formulate this person into a good citizen as the republican citizenship requires, (perhaps by sending him to Sunday church, and enforcing him to participate in town meetings and other various communal activities and institutions), against his personal will? If the answer is yes, then Sandel's formative republicanism is clearly coercive. This is because the concept of "non-coercion" is more to do with not forcing somebody to do something against his personal will, given that he respects the rights of others, than with acknowledging the differences between individuals. Of course, acknowledging the differences between individuals also has an implicit sense of "non-coercion", since acknowledging the differences between individuals can mean respecting the different choices and opinions of
individuals and not to force somebody to conform to what he disagrees. However, the differences between individuals that is allowed by formative republicanism is far narrower than the differences between individuals that is allowed by procedural liberalism; procedural liberalism will allow individuals to be politically apathetic, (given that he or she doesn't infringe other people's rights), while formative republicanism will not. This is because procedural liberalism only requires the citizens to respect the claims of justice, while formative republicanism requires the citizens to become morally excellent citizens. This gap between the scope which formative republicanism and procedural liberalism allows the differences between individuals is the very fact that makes formative republicanism potentially coercive to some people while procedural liberalism doesn't. Of course, not all coercion might be thought as bad. Making a self-centered and politically indifferent person into a good citizen who possesses civic virtues and an excellent moral character might be thought as "good coercion": it might be thought as analogous to sending children to school when they demand to stay home and watch pro-wrestling on TV. However, even good-coercion is coercion nonetheless. And in this way, I am not sure how Sandel's formative republicanism can be exonerated from the accusations of coerciveness.

7. Conclusion

Until now, I have tried to show an overall picture of Sandel's republican political theory. I did this by comparing and contrasting Sandel's formative republicanism to other types of contemporary political philosophies, and tried to make clear where the similarities and dissimilarities of these theories lie. Sandel's formative republicanism is basically a political theory that Sandel himself proposes as an alternative to modern procedural
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liberalism. The main element of formative republicanism is the notion of self-government and political participation. This is why political deliberation or political talk becomes a core element of Sandel's republican political theory. However, as we have seen, the political deliberation that is defended by formative republicanism differs from that of modern forms of deliberative democratic theories in two important respects: first, political deliberation in formative republicanism emphases civic virtues and moral capacities of the citizens themselves rather than relying on deliberative procedures that are neutral, and second, it acknowledges narratives and story-telling in addition to logical arguments as a legitimate source of justification during political discussion. Many aspects of Sandel's formative republicanism directly accords with Barber's strong democracy; especially with Barber's emphasis on the non-cognitive and affective side of political talk. As it seems, formative republicanism is in direct opposition to procedural liberalism. However, Kymlicka tries to resolve the apparent tensions between the two theoretical approaches by showing how procedural liberalism can embrace republican values on its own grounds. However, this type of reconciliation is only temporary since there seems to remain clear cases where procedural liberalism and formative republicanism will provide different solutions. Also, there remain some traditional worries that republicanism is, in general, both exclusive and coercive. Sandel tries to identify the main sources that lead to these worries, and argues that his formative republicanism is free from traditional worries as such. However, I find that Sandel's defense against the accusations of exclusiveness and coerciveness is not sufficient to purge republicanism entirely from the potential worries of exclusivenesses and coerciveness.
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